

treasuries were sapped to pay for compliance with the unfunded mandates that we have foisted upon them.

However, with this conference report, of which I was very happy to be a part, in working out the differences between the House and Senate versions of the mandate bill, we are taking an important step in the right direction. Equilibrium is restored. The fiscal responsibility shifts back where it belongs—with the authors of these rules.

Mr. President, I say to my colleagues this is a fair and just compromise. This is a conference report that addressed the unfunded mandates problems head on. This is a conference report all of us can support no matter on which side of the aisle we sit. I wish we could approach more of the business of the American people in such a bipartisan manner as we have addressed this in the Congress of the United States.

In closing, Mr. President, it is my opinion that the conferees did an excellent job knitting together the two different bills in this coherent and seamless package. We compromised without sacrificing the muscle and teeth of the Senate bill.

From my point of view as a Senate conferee, I was most pleased that the judicial review process was kept to a minimum. The current wording is certainly far more restrained than the broad House language which would have provided a field day for lawyers. Their loss is our gain, thank goodness.

I would also point out that the conference report maintained the amendment sponsored by the distinguished Senator from West Virginia [Mr. BYRD]. The language forces Congress to vote on an agency's decision on whether or not it can implement a mandate with the money appropriated. This conference report gives Congress the last word, to which I say "amen."

Mr. President, one of my favorite Presidents, Harry Truman, was famous for the sign on his desk that said, "The buck stops here." We can learn a lot from those words. For too long, Congress has been passing the buck to the States. For too long, we have been passing the buck and passing the bill. It is time we took responsibility for our own actions. It is time we pulled the plug on unfunded mandates. It is time we passed this conference report, and I hope we will today.

Mr. President, I reserve the remainder of any time remaining, and I yield the floor.

Mrs. MURRAY addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

EXTENSION OF MORNING BUSINESS

Mrs. MURRAY. Mr. President, I ask unanimous consent to extend morning business for approximately 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, thank you.

THE NOMINATION OF DR. HENRY FOSTER

Mrs. MURRAY. Mr. President, I understand that the Senate Labor and Human Resources Committee has received all the necessary paperwork from the administration for Dr. Henry Foster's nomination for U.S. Surgeon General. I rise today to encourage the committee to move Dr. Foster's nomination expeditiously, and I look forward to his receiving a full and fair hearing.

Unlike some of my colleagues, I am very excited about Dr. Foster's nomination. Dr. Foster is an ob/gyn. I appreciate, and want to stress, the importance and relevance of his practice area. For far too long, women's health concerns have been neglected by our Government.

Women's health is critical to very family—every man, woman, and child—in this Nation. As a woman, and the mother of a son and a daughter, I find the selection of Dr. Foster reassuring. It is especially important at this time that President Clinton chose to nominate a physician who has dedicated his life to maternal and child health.

Dr. Foster is one of the country's leading experts on preventing teen pregnancy and drug abuse, as well as reducing infant mortality.

Dr. Foster is a very decent and dedicated physician who has been unfairly maligned. I hope my colleagues and the American public will hear the stories of some of the many people whose lives Dr. Foster has touched.

I hope they get a more complete picture of Dr. Foster and the work he has done.

For example, Dr. Foster worked tirelessly to help bring Christopher Hight into this world. Jeannette Hight and her husband Charles almost lost their baby twice during her pregnancy, but Dr. Foster helped nurse her through these crises.

Earlier this year, Jeannette and Charles Hight wrote to Dr. Foster:

Without you, there would not be a Christopher Hight. Your talents and work have brought joy to our lives. You will be proud to know that your extraordinary efforts resulted in us having a son who is excelling at Rice University in architecture. His teachers, who are nationally renown, have told us that he has very special talents. No matter what happens, we are with you. We will always remember your special dedication, caring nature and skills.

Cliff and Wilda Denton from Moses Lake in my home State of Washington wrote the following to Dr. Foster:

I can say in all humility, without you we could have lost our only daughter and first born grandson. Wilma was so very ill and dehydrated. All I had to do was call you. You would nourish her back to normal. This was thirty some years ago. When you were a doctor in the Air Force at Larson Air Force Base, her husband was away fighting a war.

That's when we got acquainted with you. After the birth and both were well and healthy, I wrote you a letter, thanking you for all your good care. You told me I was the first person (white that is) to ever give you a compliment. Greg is now over thirty years old.

We were so impressed when we visited you a few years ago and found you had dedicated your entire life to humanity . . . I feel confident you will be confirmed. . . .

Mr. President, these are just a few examples for Dr. Foster's great work. He has delivered many thousands of babies, and he has saved hundreds of lives.

Some of our colleagues would have the U.S. Senate exclude Dr. Foster from consideration because he has performed abortions. I disagree. Abortion should not be the determining factor in the selection of a Surgeon General. Abortion is a legal procedure, and every woman in this Nation has a constitutional right to choose whether and when to bear a child.

Whether Dr. Foster has performed 1 abortion or 1,000 abortions, he should not be disqualified from consideration.

I believe that the majority in this Nation will not allow an extremist minority to criminalize abortion through the Surgeon General nomination process. Furthermore, I believe the women in this Nation will not stand for perfunctory disqualification of candidates based on their practice areas, especially when the physician involved has dedicated his life to women's health.

Mr. President, why is no one concerned about the exact number of babies Dr. Foster has delivered in the course of his practice? Why is no one inquiring into exactly how many lives he has saved?

I am curious how many teenagers have benefited from his I Have A Future Program? I wonder how many unintended pregnancies he has prevented?

How many young people has he empowered and inspired?

Why is this man being attacked so viciously when he has dedicated his life to our well-being? Finally, how can a U.S. Senator vow to filibuster Dr. Foster's nomination before the doctor has even had a hearing?

Mr. President, I had to speak on Dr. Foster's behalf today because I cannot stand by and watch his nomination be railroaded. Senator KASSEBAUM has promised Dr. Foster a hearing and I believe she is committed to following through. Luckily, not everyone is rushing to prejudge this nominee.

Every day that goes by without a U.S. Surgeon General in place who can provide strong leadership for our Nation's future—is a day in which American lives can be changed.

Mr. President, having a Surgeon General in place who can speak to women's health issues is imperative. I urge the committee to move quickly on Dr. Foster's nomination. And, I look forward to consideration of Dr. Foster's nomination by the full Senate.

I yield the floor.